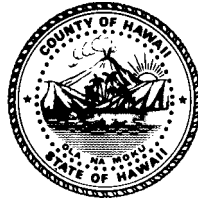


Leningrad Elarionoff  
*Chairman*



James Y. Arakaki, *Member*  
Aaron S.Y. Chung, *Member*  
Fred C. Holschuh, M.D., *Member*  
Bob Jacobson, *Member*  
Joe Reynolds, *Member*  
Gary Safarik, *Member*  
Michael Tulang, *Member*

J. Curtis Tyler, III  
*Vice Chair*

**HAWAII COUNTY COUNCIL  
COMMITTEE ON PLANNING  
22nd Session**

**DATE:** February 3, 2004 (Tuesday)  
**PLACE:** Councilroom  
**TIME:** 2:00 p.m.

**(Note: Please turn cell phones, pagers and other mobile communication devices on silent mode.)**

**CALL TO ORDER**

**STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA**

**REFERRALS**

Comm. 438:  
(Bill 198) AN ORDINANCE AMENDING THE STATE LAND USE BOUNDARIES MAP, H-7 FOR THE COUNTY OF HAWAII, BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT HIENALOLI 2ND TO 4TH, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-010:066 (Applicant: Nani Kona Aina, LLC) (Area: 14.533 acres); and

(Bill 199) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAII COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO SINGLE FAMILY RESIDENTIAL (RS-10) AT HIENALOLI 2ND TO 4TH, NORTH KONA, HAWAII, COVERED BY TAX MAP KEY 7-5-010:066 (Applicant: Nani Kona Aina, LLC) (Area: 14.533 acres)

From Mayor Harry Kim, dated December 3, 2003, transmitting a letter and the above bills from Planning Commission Chair Fred Galdones.

**Defer Bills 198 and 199, and Comm. 438 through 438.16, for Public Hearing in Kona, Public Hearing to be scheduled at a later date.**

Comm. 438.1: From Linda and Donald Gross, dated November 11, 2003, opposing Bills 198 and 199 because the traffic will burden the existing infrastructure in the neighborhood, and requests a meeting be held on the issue in Kona.

*(More related communications on next page.)*

- Comm. 438.2: From Ruth E. Robinson, dated November 10, 2003, requesting that a hearing be held in Kona regarding Bills 198 and 199, to afford concerned citizens the opportunity to attend.
- Comm. 438.3: From Lawrence Goff and Virginia Lane, dated November 11, 2003, expressing their opposition regarding the proposed rezoning of 14.5 acres adjacent to the Kona Heights Subdivision, because of concerns about the continued "incremental rezoning" and approvals for numerous adjacent small developments that can, due to their being under the 100 lot threshold" avoid impact studies and related infrastructure costs of approximately 600 homes which all must utilize the single access road, Nani Kailua. Requests the Council hold a meeting in Kona so residents can express their concerns.
- Comm. 438.4: From David O. Kish and Carol Nani Stone, dated November 11, 2003, requesting that a meeting be held in Kona to ensure that the concerns regarding Bills 198 and 199 are heard.
- Comm. 438.5: From David O. Kish and Carol Nani Stone, dated November 13, 2003, requesting that the Planning Committee hold a meeting in Kailua-Kona when the Nani Kona Aina State Land Use Boundary Amendment and rezoning requests are considered.
- Comm. 438.6: From Lawrence Goff, dated November 11, 2003, requesting that the Council oppose Bills 198 and 199; and that the County Council conduct their hearing on this matter in Kona.
- Comm. 438.7: From Charles Fleming and Maureen Lu, dated December 10, 2003, concerned that the proposed Nani Kona Aina development will impact traffic, damage road, have flooding problems, and impact the endangered Hawaiian hawk which hunts there.
- Comm. 438.8: From Rab and Lynn Puri, dated November 13, 2003, expressing gratitude to the Planning Commission for opposing Nani Kona Aina, and requests a meeting be held in Kona to allow their concerned residents a chance to attend.
- Comm. 438.9: From John and Ruby Darnall, dated November 11, 2003, opposing Nani Kona Aina and other further development in the Kona Heights and Kailua View Estates until appropriate traffic and impact studies have been conducted and solutions found and implemented to improve infrastructure, and requesting a Kona meeting on the matter for the convenience of the Kona residents.
- Comm. 438.10: From B. Scott, dated November 6, 2003, opposing Bills 198 and 199, and requesting they be delayed until a binding infrastructure agreement is included in any development approval.

*(More related communications on next page.)*

- Comm. 438.11: From John and Ruby Darnall, dated November 6, 2003, informing that several neighbors met to discuss the impact of the proposed Nani Kona Aina application, and determined several key issues they believe warrant careful consideration, as listed.
- Comm. 438.12: Copy of letter to Planning Department and Planning Commission, from Mark Van Pernis, dated October 29, 2003, expressing concerns that access to Kuakini Highway will be overburdened, and will denigrate the value of the Kailua View Estates property; also that Hienaloli Road is inadequate and overburdened, and that Nani Kona Aina should be required to improve it or create other access. Transmits a map of the area for further clarification.
- Comm. 438.13: From Barbara Scott, dated November 14, 2003, commenting on the impacts that Nani Kona Aina will have on traffic, infrastructure, protected wildlife and the environment. Favors a meeting in Kona to address community concerns.
- Comm. 438.14: Copy of letter to Planning Director Christopher Yuen, from Charles Fleming and Maureen Lu, dated November 3, 2003, expressing concern over "incremental rezoning," which disguise total development of many lots as separate small developments, without requiring the necessary impact study by the developer. Urges the Planning Department, the Planning Commission, and the Department of Public Works to review this for infrastructure needs.
- Comm. 438.15: From Peter J. Callahan, dated December 10, 2003, asking that the Council address all environmental issues before granting the rezoning request of Nani Kona Aina, and that any development be consistent, compatible and complementary with all existing properties.
- Comm. 438.16: Copy of letter to Dr. Ann Goody, Three Ring Ranch Exotic Animal Sanctuary, from Gina Shultz, United States Department of the Interior Acting Field Supervisor, offering technical assistance for the Nani Kona Aina State Land Use Boundary Amendment and rezoning, in order that impacts to listed native Hawaiian species can be avoided or minimized. States that based on their review, the endangered Hawaiian hoary bat and Hawaiian hawk are present in the proposed area and should be considered in the planning process for this area.
- Comm. 455:  
(Bill 209) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO SINGLE FAMILY RESIDENTIAL (RS-7.5) AT PUAPUAA 2ND, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-5-20:71 AND 72 (Applicant: Lehua Lani, LLC)  
(Area: Approximately 10.1 acres)  
From Mayor Harry Kim, dated December 30, 2003, transmitting a letter and the above bill from Planning Commission Chair Fred Galdones.

**Defer Bill 209 and Comms. 455 and 455.1, for Public Hearing in Kona, Public Hearing to be scheduled at a later date.**

Comm. 455.1: From Planning Director Christopher J. Yuen, dated January 5, 2004, informing that the Department of Public Works is recommending that proposed Condition E of Bill 209 be amended to increase from five to ten feet a widening strip along the length of Ali'i Drive to accommodate the utility poles within the right-of-way. The 10-foot future road widening strip will increase the current Ali'i Drive right-of-way width from 50 to 60 feet. States they concur with the stated recommendation.

Comm. 457:  
(Bill 212) AN ORDINANCE AMENDING THE STATE LAND USE BOUNDARIES MAP, H-7 FOR THE COUNTY OF HAWAI'I, BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL TO THE URBAN DISTRICT AT PUAPUAANUI, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-5-17:21 (Area: +/- 9.095 acres); and

**Recommends passage of Bill 212 on first reading.**

(Bill 213) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO SINGLE FAMILY RESIDENTIAL (RS-15) AT PUAPUAANUI, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-5-17:21 (Applicant: Uluwehi Properties, LLC)  
(Area: +/- 9.095 acres)

From Mayor Harry Kim, dated December 30, 2003, transmitting a letter and the above bills from Planning Commission Chair Fred Galdones.

**Recommends passage of Bill 213, as amended, on first reading.**

UNFINISHED BUSINESS:

Comm. 442:  
(Bill 202) AN ORDINANCE AMENDING ORDINANCE NO. 93-100, WHICH RECLASSIFIED LANDS FROM SINGLE FAMILY RESIDENTIAL (RS-10) TO LIMITED INDUSTRIAL (ML-10) AT WAIAKEA, SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY 2-2-50:8 (Requests Amendment to Time Extension to Condition C—construction timetable)

(Applicant: Dianne and Edward Hirayama) (Area: 11,250 square feet)

From Mayor Harry Kim, dated December 16, 2003, transmitting a letter and the above bill from Planning Commission Chair Fred Galdones.

**Recommends passage of Bill 202, Draft 2, on first reading.**

Comm. 458:  
(Bill 214) AN ORDINANCE AMENDING SECTION 25-8-3 (NORTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE, BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL (A-5a) TO FAMILY AGRICULTURAL (FA-3a) AT PUAA 2ND, NORTH KONA, HAWAI'I, COVERED BY TAX MAP KEY 7-5-12:38 (Applicant: Thomas A. Tusso) (Area: 8.773 acres)

From Mayor Harry Kim, dated December 30, 2003, transmitting a letter and the above bill from Planning Commission Chair Fred Galdones.

**Recommends passage of Bill 214, as amended, on first reading.**

**STATEMENTS FROM THE PUBLIC/ADJOURNMENT 5:35 p.m.**

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by Friday, January 30, 2004. Persons using TDDs may call 961-8521.

(Copies of this agenda and the communications are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; and the Kona Councilmembers' Office, 77-6399 Nalani St., Suite 104, Kailua-Kona. For further information, please call 961-8245. Those wishing to testify, please register with the County Clerk's staff prior to the convening of the meeting. If possible, submit fifteen (15) written copies of the testimony to staff prior to the convening of the meeting.)

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52 (Hilo/Kona)  
Parks & Environmental Management Committee and Finance Committee meetings - Tuesdays, February 10 and 17, 2004, at 8:30 p.m.; Public Works & Intergovernmental Relations Committee, Planning Committee, and Human Services & Economic Development Committee meetings - Thursdays, February 12 and 19, 2004, at 8:30 p.m.; and all five Committee meetings - Sunday, February 22, 2004, at 10:30 a.m.